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08/07/2007

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EXAMINER

NGUYEN, THANH T

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/699,863
Filing Date: October 30, 2000
Appellant(s): HEISKA, JUKKA

MAILED

AUG 07 2007

Technology Center 2100

Alfred W. Froebrich
For Appellant

SUPPLEMENTAL EXAMINER'S ANSWER

This is in response to the Examiner's answer correction filed July 30, 2007 appealing from the Office action mailed August 9, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6901437

LI

5-2005

WO00/039666 CARLINO

July-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 8-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li, U.S. Patent No. 6,901,437 in view of Carlino, WO 00/039666.

With respect to claim 8, Li discloses the invention substantially as claimed. Li discloses an apparatus for providing data services to mobile devices in a system comprising a data network [see Li, Figure 1], at least one content server accessible via the data network [see Figure 1, items 110-114] at least one gateway for accessing the data network [see Li, Figure 1, item 106], a mobile telephone network for communicating between the mobile devices and said at least one gateway [see Figure 1, items 102 and 104], and a content converter separate from the at least one gateway, separate from the at least one content server, and connected to the data network [see Li, Figure 1, item 100], the apparatus comprising: a data store associates with the content converter for storing indications of the characteristics of each terminal device [see Li, Figure 1, item 118] receiving means at the content converter for receiving content for a particular mobile terminal from said at least one content server, said at least one content server being connected to the data network so that said content converter is directly accessible by said at least one content server through the data network bypassing said at least one gateway [see Li, Figure 1, item 100, 108, 110, 112, 114]. However, Li does not explicitly disclose logic for adjusting content for the particular mobile terminal in the content converter according to the stored characteristics of the mobile terminal; and sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal.

In the same field of endeavor, Carlino discloses (e.g., converting content of markup data for wireless devices). Carlino discloses logic for adjusting content for the particular mobile terminal in the content converter according to the stored characteristics of the mobile terminal **[Carlino -- Page 9 lines 1-7 -Content converter converts original document, i.e. web page, etc., from one markup language to another markup language, in addition to, following the preferences stored in the database];** and sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal **[Carlino -- Figure 1 and Page 33 lines 19-23 - Wireless gateway (14), shown in figure 1, both receives requests and sends converted document to mobile device, i.e. mobile phone].**

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Carlino's teachings of converting content of markup data for wireless devices with the teachings of Li, for the purpose of converting an original electronic document into a converted electronic document useable on a wireless device [see Carlino, pg 7].

with respect to claim 9, Li- Carlino further teaches wherein the content is in wireless application protocol (WAP) format **[Carlino -- Page 33 lines 1-5 - Document is in WAP format using WML].**

With respect to claim 10, Li- Carlino further teaches wherein the data network is a wide-area network (WAN) **[Carlino -- Figure 1 - World Wide Web or Internet is used to retrieve documents from other servers, computers etc... The Internet is classified as a WAN].**

With respect to claim 11, Li- Carlino further teaches wherein the WAN is the Internet [Carlino -- Figure 1 and Page 14 lines 13-16 - World Wide Web on the Internet].

With respect to claim 12, Li- Carlino further teaches wherein the data store further stores indications of preferences of the user of each terminal device, and wherein the logic adjusts content in accordance with stored preferences of the user [**Carlino -- Page 9 lines 1-7 and page 45 lines 3-13 - Database stores uploaded characteristics of devices and preferences of the user of the device** which is used by the content converter to render documents in a manner viewable on a particular wireless device].

With respect to claim 13, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference currently entered by the user and stored [**Carlino -- Page 9 lines 1-7 - Content converter uses preferences and characteristics of users stored in database to adjust the original document, i.e. convert it to format suitable for wireless device. The user can make these preferences at any time and store them in the database**].

With respect to claim 14, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference previously stored and currently selected by the user [**Carlino -- Page 9 lines 1-7 and page 45 lines 3-13 -- Content converter adjusts content to that of user preferences previously stored, i.e. user stores preferences for baseball scores to render them on wireless device, in a given manner**].

With respect to claim 15, Li- Carlino teaches a system for converting a mark-up language file into a format for presentation on a mobile terminal comprising: a content server connected to a wide area network (WAN) for transmitting a mark-up language file over said WAN [**Carlino -- Figures 1, Abstract, page 13 lines 5-6 and page 14 lines 5-18 - Original documents, i.e. web**

pages in HTML, are accessed over the Internet, i.e. WAN, which implicitly reside on a server, i.e. content server]; a content converted connected to said WAN for receiving the mark-up language file over said WAN from the content server, for converting said mark-up language file into a format appropriate for a mobile terminal, and for transmitting the converted mark-up language file over the WAN [Carlino -- Figure 1, Page 9 lines 1-7, page 18 lines 19-23 and page 33 lines 19-23 -Original document from WWW is received at converter from its source, i.e. content server, upon which, it the content converter converts the original document, i.e. web page, etc., from one markup language to another markup language by following the preferences stored in the database. Upon completion, wireless gateway transmits the file over the network to the mobile device]; and a gateway between the WAN and a mobile telephone network for receiving the converted mark-up language file from the content converter and for transmitting the converted mark-up language file over the mobile telephone network to the mobile terminal [Carlino -- Figure 1 and Page 33 lines 19-23 - Wireless gateway (14), shown in figure 1, both receives requests and sends converted document to mobile device, i.e. mobile phone]; wherein said content converter is separate and distinct from said content server and from said gateway [Carlino -- Figure 1, page 1.4 lines 19-23 and page 15 lines 6-10 - Content converter is not integral to the wireless gateway nor the content provider but rather is an individual component, i.e. distinct from server and gateway]; and wherein said content converter accesses a database storing the characteristics of the mobile terminal in order to convert the mark-up language file into a format appropriate for the mobile terminal [Carlino -- Page 33 lines 10-19 - Database 18 contains wireless device preferences, i.e. characteristics, which are specific to the particular wireless device, i.e.

type of display, i.e. number of viewable lines on screen. Converter accesses database to obtain converting information to process the conversion].

(10) Response to Argument

- Appellant argues that Carlino fail to teach or suggest “an apparatus with logic for converting information and sending means for routing the adjusted content through the data network”.

Examiner respectfully disagrees. Carlino discloses an apparatus with logic for converting information and sending means for routing the adjusted content through the data network as shown in **Page 9 lines 1-7 (Content converter converts original document, i.e. web page, etc., from one markup language to another markup language, in addition to, following the preferences stored in the database)**. Carlino clearly shows the application claimed invention.

- There is no motivation to send the adjusted content back through the internet.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, for the purpose of converting an original electronic document into a converted electronic document useable on a wireless device [see Carlino, pg 7].

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

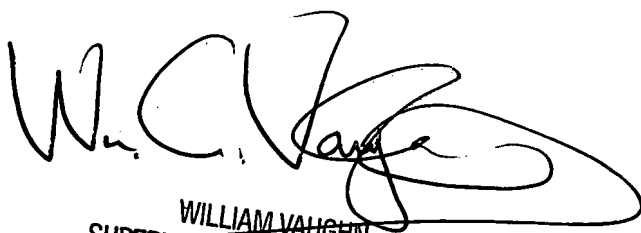
Respectfully submitted,

Thanh T. Nguyen



Examiner Art Unit 2144

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